



Linda S. Adams  
Secretary for  
Environmental  
Protection



Arnold Schwarzenegger  
Governor

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

<p><b>In the matter of:</b></p> <p>Donald and Nancy Haase</p> <p>2555 Grand Avenue</p> <p>Fillmore, CA 93015</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Stipulated Order on</b></p> <p><b>Complaint No. R4-2009-0051</b></p> <p><b>Administrative Civil Liability Pursuant to</b></p> <p><b>California Water Code § 13261</b></p> <p><b>For Violations of</b></p> <p><b>California Water Code § 13260</b></p>
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The California Regional Water Quality Control Board, Los Angeles Region ("Regional Board") finds:

- A. On May 5, 2009, the Regional Board's Chief Deputy Executive Officer issued Administrative Civil Liability Complaint No. R4-2009-0051 ("Complaint") to Donald and Nancy Haase (collectively, "The Haases").
- B. The Complaint alleged that The Haases violated California Water Code section 13260 by failing to submit a Notice of Intent to comply with the Regional Board's Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands within the Los Angeles Region (Order No. R4-2005-0080) or, alternatively, by failing to submit a report of waste discharge for an individual waste discharge permit, despite at least two requests by the Regional Board. The Complaint proposed to assess an administrative civil liability of \$3,759 against The Haases for these violations.
- C. Subsequent to the issuance of the Complaint, The Haases and the Prosecution Team (collectively, the "Parties") entered into settlement negotiations because of a desire to resolve this matter and settle the allegations described herein without a formal hearing. At that time, Donald Haase informed the Prosecution Team that he thought he had enrolled with the Ventura County Agriculture Irrigated Lands Group (VCAILG) prior to issuance of the Complaint. However, although VCAILG records indicate that Donald Haase did complete 4 hours of education in November 2007, enrollment in VCAILG was not complete until May 26, 2009.
- D. The Regional Board has been presented with a proposed settlement of the claims alleged in the Complaint that was developed during negotiations between the Parties. The proposed settlement represents a mutually agreed-upon resolution of the Prosecution Team's claims through the payment of an administrative civil liability in the amount of \$3,000, payable in three monthly payments of \$1,000 each month over a period of three consecutive months. The Parties' settlement agreement is attached hereto as Attachment 1. The Parties recommend that the Regional Board adopt this Stipulated Order to effectuate the Parties' proposed settlement.

- E. The Haases understand that the full \$3,000 liability assessed against them is due and payable immediately, but that The Haases are being allowed to pay it in partial payments.
- F. The Prosecution Team provided public notice of and an opportunity to comment upon the settlement agreement for at least 30 days.
- G. In adopting this Stipulated Order, the Regional Board has considered each of the factors prescribed in California Water Code section 13327. The Regional Board's consideration of these factors is based upon information and comments provided by the Parties and members of the public. In addition to these factors, the administrative civil liability recovers the costs incurred by the staff of the Regional Board in evaluating the incidents of violations and preparing the Complaint and related documents.
- H. This Stipulated Order and assessment of administrative civil liability in the amount of \$3,000 provides for the full and final resolution of the alleged violations in the Complaint.
- I. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*) in accordance with section 15321, Chapter 3, Title 14, California Code of Regulations.
- J. Any person aggrieved by this action of the Regional Board may petition the State Water Resources Control Board ("State Board") to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Board must *receive* the petition by 5:00 p.m., 30 days after the date of this Stipulated Order, except that if the thirtieth day following the date of this Stipulated Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**IT IS HEREBY ORDERED that:**

1. Pursuant to the settlement agreement executed by the Parties, administrative civil liability pursuant to California Water Code section 13261 is imposed upon The Haases in the amount of \$3,000 for the violations alleged in the Complaint.
2. The Haases will pay the administrative civil liability of \$3,000 by check that references "ACL Complaint No. R4-2009-0051" (made payable to the "State Water Pollution Cleanup and Abatement Account") in three monthly payments of \$1,000 each month over a period of three consecutive months. Payments must be mailed directly to the Regional Board. The schedule of payment is as follows:

Payment	Amount Due	Due Date
1st	\$1,000	April 1, 2010
2nd	\$1,000	May 1, 2010
3rd	\$1,000	June 1, 2010

3. If the Regional Board does not receive any payment by the due date, the entire unpaid portion of the total assessment shall become due and payable immediately if the Executive Officer so demands in a written notice to The Haases.
4. In the event that The Haases fail to comply with the requirements of this Order, the Executive Officer is authorized to refer this matter to the Office of the Attorney General for collection and/or enforcement.

**IT IS SO ORDERED.**

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Tracy J. Egoscue  
Executive Officer

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Date